

Legislation and Rules 101

Legislation

The process of a bill becoming law is referred to as legislation. A bill that has been passed by both the Senate and House, approved by the Governor, and published is referred to as an Act. Permanent or general acts approved by the Legislature are referred to as statutes.

Statutes, combined with the state and Federal Constitution, court rulings, agency rules, and executive orders of the Governor collectively make up the “law.”

Statutes govern the affairs of executive branch agencies, including DNR. The enabling statute for the DNR is Title XI of the Code of Iowa, Chapters 455 through 485.

Rules

Executive Branch statements of law or policy affecting the general public or a specific segment of the public. Rules are usually written to implement laws and include consideration given to public input and comment and fiscal impact on the state.

Rulemaking authority is delegated to agencies by the Legislative and Judicial Branches.

The Administrative Procedures Act (APA) provides the procedural framework that regulates the exercise of agency rulemaking authority (Iowa Code Chapter 17A).

Outside parties may petition an agency for a rulemaking, as specified in Iowa Code Chapter 17A.

Rules are contained in the Iowa Administrative Code (IAC). 567 of the IAC contains DNR (Environmental Protection Commission) rules.

Legislative and Rulemaking Time Table:

Now through December: Begin drafting legislation, contacting legislators

January: Session starts

Friday of 1st week: Final day for individual Senator requests for bill drafts to the LSA

Friday of 2nd week: Final day for individual Representative requests for bill drafts to the LSA

March:

Friday of 8th week: Final date for House bills to be reported out of House committees and Senate bills out of Senate committees.

10th and 11th weeks: Debates

Friday of 11th week: Final date for Senate bills to be reported out of House committees and House bills out of Senate committees.

12th week: House considers only Senate bills and unfinished business and Senate considers only House bills and unfinished business.

April:

Beginning of 13th week: House amendments need not be filed on the day preceding floor debate. Only the certain bills are eligible for consideration.
Session ends in mid April (100th calendar day)

May-June: Governor signs/vetos bills

DNR can also begin drafting rules to implement passed legislation.

July: Information rulemaking item to EPC

August: Notice of Intended Action to EPC for approval

September: Notice published in Iowa Administrative Bulletin (-30-day Notice period)

October: Public hearing(s) and Administrative Rules Review Committee

November-December: Prepare public responsiveness summary, revise notice as needed.

January: Final (adopted and filed) rulemaking to EPC for approval

February: Final rules published in Iowa Administrative Bulletin and Iowa Administrative Code

March: Administrative Rules Review Committee; rule becomes effective (35 days after publication)